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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Ramon Alberto AREVALO LOPEZ,

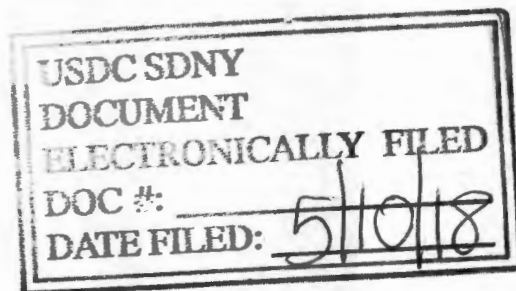
Petitioner,

Jefferson B. SESSIONS III, in his official capacity as the Attorney General of the United States; Kirstjen NIELSEN in her official capacity as Secretary of Homeland Security; Thomas DECKER, in his official capacity as New York Field Office Director for U.S. Immigration and Customs Enforcement; James MCHENRY, in his official capacity as Director of the Executive Office for Immigration Review; and the U.S. DEPARTMENT OF HOMELAND SECURITY,

Respondents.

18 CV 4189

Case No. _____

**[PROPOSED] ORDER TO
SHOW CAUSE ON
PETITION FOR HABEAS
CORPUS**

Upon consideration of Petitioner's Application for Issuance of an Order to Show Cause pursuant to 28 U.S.C. §2243, the Verified Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2241, and exhibits thereto, and Petitioner's request for the Petitioner's immediate release pending resolution of the Petition pursuant to *Mapp v. Reno*, 241 F.3d 221 (2d Cir. 2001), *see also, Elkmya v. Dep't of Homeland Sec.*, 484 F.3d 151, 153 (2d Cir. 2007)(explaining the REAL ID Act of 2005 "did not qualify our inherent authority to admit to bail petitioners in immigration cases"), and the accompanying declarations and exhibits, IT IS HEREBY ORDERED that:

1. Respondents shall file a return on the Order to Show Cause why the Petition for Habeas Corpus and the Petition for Writ of Habeas Corpus and request for immediate release pending resolution of the Petition pursuant to *Mapp v. Reno* should not be granted

by 5/24/18 at noon

2. Petitioners shall have an opportunity to file a reply by 5-23-18 at noon

PS
3. This matter shall be heard by the Court on May 24 2018 at 11:00 AM

4. Pending considerations, Respondents are HEREBY ORDERED TO RELEASE the Petitioner to his mother's custody and such other and further relief as the Court may find appropriate; and it is further

5. Pending consideration, Respondents ARE HEREBY RESTRAINED from transferring the Petitioner from the jurisdiction of the New York Field Office of the Office of

Enforcement and Removal Operations; without adequate notice to the Petitioner

ORDERED that service of this Order shall be effected by Petitioners on the United States Attorney for the Southern District of New York by 5-10-18 5pm ~~or~~ May 2, 2018 and shall constitute good and sufficient service. ~~IT IS HEREBY~~

~~ORDERED~~ that:

7. Respondents are ORDERED to file a return on the Order to Show Cause why the request for immediate release should not be granted by _____;

IT IS SO ORDERED:

Dated: 5-10-18
at 4:30 PM

[Signature]
UNITED STATES DISTRICT JUDGE